

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent Office, number 1-571-273-8300, or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope, or filed electronically and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 16, 2007.

/Michael Chen/

Michael Chen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/789,776	Confirmation No.	1912
Applicant	:	James Say, et al.		
Filed	:	February 27, 2004		
TC/A.U.	:	3735		
Examiner	:	Natnithithadha, Navin		
Docket No.	:	TS-02-24		
Customer	:	30349		
No.				

Title: Analyte Monitoring Device and Methods of Use

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CORRECT FILING RECEIPT

Sir:

It is respectfully submitted that the Filing Receipt, mailed May 26, 2004, in the above-identified patent application is incorrect for the following reason:

Domestic Priority data as claimed by applicant:

This application is a Continuation application of 10/420,057, filed 04/18/2003.

Please amend the filing receipt and any other official patent office records to reflect the corrected information as described above and re-issue a corrected filing receipt. A copy of the Request to Correct Filing Receipt identifying correct parent

application information was filed via facsimile to OIPE on March 4, 2005 (copy enclosed with facsimile transmission confirmation). However, to date, Applicants have not received a corrected filing receipt.

The following documents are enclosed in support of this request:

1. Filing Receipt for application no. 10/789,776 with annotated changes (2 pages);
2. Preliminary Amendment to the Specification for application no. 10/789,776, amending the Related Applications section of the Specification (2 pages);
3. Copy of previously filed Request for Corrected Filing Receipt including fax confirmation of receipt on March 4, 2005 (7 pages).

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

JACKSON & CO., LLP

/Seong-Kun Oh/

Dated: October 16, 2007

By _____

Seong-Kun Oh
Reg. No. 48,210
Attorneys for Applicant(s)

JACKSON & CO., LLP
6114 La Salle Ave., #507
Oakland, CA 94611-2802

Telephone: 510-652-6418, Ext. 82
Facsimile: 510-652-5691

Customer No.: 30349

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-2019. A duplicate page is enclosed.

Respectfully submitted,

JACKSON & CO., LLP

/Seong-Kun Oh/

Dated: October 16, 2007

By _____

Seong-Kun Oh
Reg. No. 48,210
Attorneys for Applicant(s)

JACKSON & CO., LLP
6114 La Salle Ave., #507
Oakland, CA 94611-2802

Telephone: 510-652-6418, Ext. 82
Facsimile: 510-652-5691

Customer No.: 30349



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL. NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/789,776	02/27/2004	3736	968	TS-02-24	26	31	3

CONFIRMATION NO. 1912

30349
 JACKSON & CO., LLP
 6114 LA SALLE AVENUE
 SUITE 507
 OAKLAND, CA 94611-2802

FILING RECEIPT



O000000012783674

Date Mailed: 05/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Say, Alameda, CA;
 Michael F. Tomasco, Cupertino, CA;
 Adam Heller, Austin, TX;
 Yoram Gal, Kibbutz Yagur, ISRAEL;
 Behrad Aria, Alameda, CA;
 Ephraim Heller, Oakland, CA;
 Phillip John Plante, Sunnyvale, CA;
 Mark S. Vreeke, Alameda, CA;
 Keith A. Friedman, Austin, TX;
 Fredric C. Colman, Berkeley, CA;

Domestic Priority data as claimed by applicant

This application is a CON of ~~10/420,054 04/21/2003~~
 which is a CON of 09/667,199 09/21/2000 PAT 6,565,509
 which is a CON of 09/070,677 04/30/1998 PAT 6,175,752
 (*)Data provided by applicant is not consistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted: 05/25/2004

Projected Publication Date: 09/02/2004

10/420,057, filed 04/18/2003

Non-Publication Request: No

Early Publication Request: No

Title

Analyte monitoring device and methods of use

Preliminary Class

600

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Auto-Reply Facsimile Transmission

TO:

Fax Sender at 15106525691

Fax Information

Date Received:

3/4/2005 12:10:07 PM (Eastern Standard Time)

Total Pages:

6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

NR 04 2005 ELLIOT JACKSON & CO., LLP		15106525691		P. 1	
JACKSON & CO., LLP INVENTORIAL PROPERTY ATTORNEYS FACSIMILE COVER SHEET					
TO: FILING SLIP/CLIP CORRECTIONS OIPF Commissioner for Patents PO Box 1450 Alexandria, CA 92313-1450 Facsimile No. (703) 746-9195					
RE: Application No. 10/722,251 U.S. Non-Provisional Patent Application for ANALYTE MONITORING DEVICE AND METHODS OF USE Inventor: James S. et al. Filing Date: February 27, 2004 Orig. File No. TS 02-24					
FROM: Kurt O. Ebo JACKSON & CO., LLP 6114 La Salle Ave., # 507 Oakland, CA 94612-2902 United States of America Tel: (510) 652-0418 Fax: (510) 652-5491					
Page: <u>6</u> (including Cover Sheet)			Date: <u>March 4, 2005</u>		
If possible, attach a copy of the document to the facsimile transmission. Please contact (510) 652-0418 for more information regarding this.					
SHORT COVER MESSAGE (Optional)					
This document contains information that is confidential and/or otherwise subject to the attorney-client privilege. It is being transmitted by facsimile to the recipient of this document. If you are not the intended recipient, please do not disseminate, copy, or otherwise use this information. If you have received this document in error, please notify the sender immediately and delete this document from your system.					
FACSIMILE TRANSMISSION RECEIPT					

FACSIMILE COVER SHEET

**To: FILING RECEIPT CORRECTIONS
OIPE**

Commissioner for Patents
PO Box 1450
Alexandria, CA 22313-1450
Facsimile No. (703) 746-9195

Re: Application No. 10/722,251
U.S. Non-Provisional Patent Application for
ANALYTE MONITORING DEVICE AND METHODS OF USE
Inventor: James Say et al.
Filing Date: February 27, 2004
Our File No. TS-02-24

From: Kuni Oh, Esq.
JACKSON & CO., LLP
6114 La Salle Ave., # 507
Oakland, CA 94611-2802
United States of America
Tel (510) 652-6418
Fax (510) 652-5691

Pages: 6 (Including Cover Sheet)

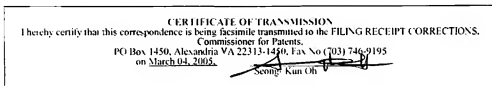
Date: March 4, 2005

If you did not receive all of the pages in this facsimile transmission, please contact Kuni Oh at (510) 652-6418 or by email at mail@jacolaw.com.

SHORT COVER MESSAGE (if any):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3736
)	
James SAY et al	)	Examiner:
)	
Appin. No. 10/789,776	)	TRANSMITTAL
	)	FOR REQUEST FOR
Filed: February 27, 2004	)	CORRECTION OF OFFICIAL FILING
	)	RECEIPT
For: ANALYTE MONITORING DEVICE)	
AND METHODS OF USE	)	Customer No. 30349
	)	Jackson & Co., LLP
	)	6114 La Salle Ave., # 507
	)	Oakland, CA 94611-2802



Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:

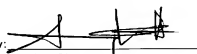
1. Transmittal (in duplicate);
2. Request for Correction of Official Filing Receipt;
3. Deposit Account Authorization (in duplicate); and
4. Certificate of Transmission (in duplicate).

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 50-2019. A duplicate of this transmittal is attached.

Respectfully submitted,
JACKSON & CO., LLP

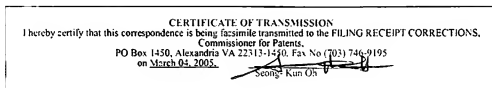
March 4, 2005
(Date)

(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3736
)	
James SAY et al	)	Examiner:
)	
Appln. No. 10/789,776	)	TRANSMITTAL
	)	FOR REQUEST FOR
Filed: February 27, 2004	)	CORRECTION OF OFFICIAL FILING
	)	RECEIPT
For: ANALYTE MONITORING DEVICE)	
AND METHODS OF USE	)	Customer No. 30349
	)	Jackson & Co., LLP
	)	6114 La Salle Ave., # 507
	)	Oakland, CA 94611-2802



Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed please find the following:


1. Transmittal (in duplicate);
2. Request for Correction of Official Filing Receipt;
3. Deposit Account Authorization (in duplicate); and
4. Certificate of Transmission (in duplicate).

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 50-2019. A duplicate of this transmittal is attached.

Respectfully submitted,
JACKSON & CO., LLP


March 4, 2005
(Date)

(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3736
James Say et al	)	Examiner:
Appln. No. 10/789,776	)	REQUEST FOR CORRECTION OF
Filed: February 27, 2004	)	OFFICIAL FILING RECEIPT
	)	MAILED May 26, 2004
For: ANALYTE MONITORING DEVICE	)	Customer No. 30349
AND METHODS OF USE	)	Jackson & Co., LLP
	)	6114 La Salle Ave., # 507
	)	Oakland, CA 94611-2802

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being facsimile transmitted to the FILING RECEIPT CORRECTIONS,
Commissioner for Patents,
PO Box 1450, Alexandria VA 22313-1450. Fax No (703) 746-9195
on March 04, 2005.


Filing Receipt Corrections - Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant herein submits this request to correct the Official Filing Receipt for the above-referenced application.

In particular, the Official Filing receipt notes that there is inconsistency with respect to the continuation application data with the PTO records in regards to claim of domestic priority to application no 10/420,054.

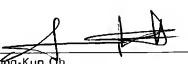
As such, Applicants herein note that the correct application number information to which priority is claimed, and further, which claims priority to now issued US Patent No. 6,595,509 is Application No. 10/420,057 filed on April 18, 2003.

These changes are also noted in the marked up copy of the official filing receipt enclosed with this transmission. In view of the foregoing, Applicant respectfully requests the correction of the official filing receipt to reflect the accurate priority information for the present application, and the reissuance of a corrected filing receipt.

Respectfully submitted,
JACKSON & CO., LLP

March 04, 2005
(Date)

(TS-02-24)

By: 
Seong-Kun Oh
Registration No. 48,210
Attorneys for Applicant(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL. NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/789,776	02/27/2004	3736	968	TS-02-24	26	31	3

CONFIRMATION NO. 1912

30349
 JACKSON & CO., LLP
 6114 LA SALLE AVENUE
 SUITE 507
 OAKLAND, CA 94611-2802

FILING RECEIPT



O000000012783674

Date Mailed: 05/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Say, Alameda, CA;
 Michael F. Tomasco, Cupertino, CA;
 Adam Heller, Austin, TX;
 Yoram Gal, Kibbutz Yagur, ISRAEL;
 Behrad Aria, Alameda, CA;
 Ephraim Heller, Oakland, CA;
 Phillip John Plante, Sunnyvale, CA;
 Mark S. Vreeke, Alameda, CA;
 Keith A. Friedman, Austin, TX;
 Fredric C. Colman, Berkeley, CA;

Domestic Priority data as claimed by applicant

This application is a CON of ~~10/420,054 04/21/2003~~
 which is a CON of 09/667,199 09/21/2000 PAT 6,565,509
 which is a CON of 09/070,677 04/30/1998 PAT 6,175,752
 (*)Data provided by applicant is not consistent with PTO records.

Foreign Applications

If Required, Foreign Filing License Granted: 05/25/2004

Projected Publication Date: 09/02/2004

10/420,057, filed 04/18/2003

Non-Publication Request: No

Early Publication Request: No

Title

Analyte monitoring device and methods of use

Preliminary Class

600

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).